

FEB. 11. 2010 2:50PM

TOWNSEND &amp; TOWNSEND

NO. 1365 P. 1

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OFFICE OF PETITIONS

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Date: <b>February 11, 2010</b>	Client & Matter Number: <b>021756-015800US</b>	No. Pages (including this one): <b>8</b>
To: <b>U.S. Patent and Trademark Office Patent Maintenance Fees</b>	At Fax Number: <b>(571) 273-6500</b>	Confirmation Phone Number:
<b>From: Joni Peterson for William J. Daley, Reg. No. 52,471</b>		<b>(3910)</b>

## Message:

Re: U.S. Patent No. 7,058,700  
 Issued: June 6, 2006  
 Application No.: 09/615,383  
 Filed: July 13, 2000  
 For: DELTA CACHING

02/16/2010 DALLEN 00000015 201430 09615383  
 01 FC:1461 810.00 DA

NOTIFICATION OF CHANGE OF ENTITY STATUS

Please see the attached *Transmittal of Deficiency Payment* which includes a *Notification of Change of Entity Status* for the above-identified patent that was filed with the U.S. Patent and Trademark Office via EFS-Web on December 3, 2009.

Original Will:		BE SENT BY MAIL		BE SENT BY COURIER		BE SENT BY MESSENGER		NOT BE SENT
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Faxed: Return to: Joni Peterson - (24376)

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## Important

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and/or exempt from disclosure by applicable law or court order. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original

I hereby certify that this correspondence is being filed via  
EFS-Web with the United States Patent and Trademark Office  
on December 3, 2009

TOWNSEND and TOWNSEND and CREW LLP

By: /Joni E. Peterson/  
Joni E. Peterson

PATENT

Docket No.: 021756-015800US  
Client Ref. No.: OID-2005-241-01

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FEB 17 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICE OF PETITIONS

In re application of:

Marc S. Casalaina

Patent No.: 7,058,700

Issued: June 6, 2006

Application No.: 09/615,383

Filed: July 13, 2000

For: DELTA CACHING

Confirmation No.: 3220

Examiner: Philip B. Tran

Art Unit: 2155

TRANSMITTAL OF DEFICIENCY  
PAYMENT AND ITEMIZATION UNDER  
37 CFR 1.28(c)

*Via EFS-Web  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450*

Sir:

Applicants previously submitted Form PTOL-85 Part B-Fee(s) Transmittal on March 29, 2006 authorizing payment in the amount of Seven Hundred Dollars (\$700.00) to cover the issue fee due as a small entity in connection with the above-referenced patent. The proper entity status at present, and at the time the fees were paid, was large entity.

Itemization

(a) The issue fee was erroneously paid in good faith and without deceptive intent as a small entity. The current fee for the issue fee for other than a small entity is \$1510.00.

(b) The small entity fee for the issue fee actually paid on March 29, 2006 was \$700.00.

Marc S. Casalaina  
Application No.: 09/615,383  
U.S. Patent No. 7,058,700  
Page 2

PATENT

- (c) The deficiency owed is \$810.00.
- (d) The total deficiency payment owed is \$810.00.

Therefore, the Director is hereby authorized to charge the deficiency payment of the required fee(s) in the amount of \$810.00, or credit any overpayment, to Deposit Account Number 20-1430, to compensate for the deficiency in accordance with 37 CFR 1.28(c).

Small entity status, as previously claimed in connection with this patent, is being changed herewith, in accordance with 37 CFR 1.28(d). Applicants hereby give notice that Oracle International Corporation is not entitled to small entity status.

Respectfully submitted,

/William J. Daley/  
William J. Daley  
Reg. No. 52,471

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
WJD:jep

62340935 v1

Effective on 12/09/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

# FEE TRANSMITTAL For FY 2007

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 810)

### Complete If Known

Application Number	09/615,383	RECEIVED
Filing Date	July 13, 2000	
First Named Inventor	Marc S. Casalaina	
Examiner Name	Philip B. Tran	FEB 17 2010
Art Unit	2155	
Attorney Docket No.	021756-015800US	OFFICE OF PETITIONS

### METHOD OF PAYMENT (check all that apply)

- Check  Credit Card  Money Order  Nonc  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments  
 under 37 CFR 1.16 and 1.17

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
-20 or HP =	x	=		50	25	
HP = highest number of total claims paid for, if greater than 20				210	105	
Indep. Claims	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	370	185	

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
-20 or HP =	x	=				

HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Deficiency Payment of Issue Fee

Fees Paid (\$)

810

### SUBMITTED BY

Signature	/William J. Daley/	Registration No. (Attorney/Agent) 52,471	Telephone 303-571-4000
Name (Print/Type)	William J. Daley		Date December 3, 2009

62341582 v1

<b>Electronic Acknowledgement Receipt</b>		<b>RECEIVED</b>
<b>EFS ID:</b>	6566219	
<b>Application Number:</b>	09615383	
<b>International Application Number:</b>		
<b>Confirmation Number:</b>	3220	
<b>Title of Invention:</b>	DELTA CACHING	
<b>First Named Inventor/Applicant Name:</b>	Marc S. Casalaina	
<b>Customer Number:</b>	51206	
<b>Filer:</b>	William John Daley/Joni Peterson	
<b>Filer Authorized By:</b>	William John Daley	
<b>Attorney Docket Number:</b>	021756-015800US	
<b>Receipt Date:</b>	03-DEC-2009	
<b>Filing Date:</b>	13-JUL-2000	
<b>Time Stamp:</b>	14:48:06	
<b>Application Type:</b>	Utility under 35 USC 111(a)	

**Payment information:**

Submitted with Payment	no				
<b>File Listing:</b>					
Document Number	Document Description	File Name	File Size(Bytes)/Message Digest	Multi Part/.zip	Pages (if appl.)
1	Post Allowance Communication - Incoming	2009_12_03_DEFICIENCYPAYMENT_021756_015800US.pdf	86093 07615b42b3a132ed03ab5adab79e46cb7 4b7c9	no	2
<b>Warnings:</b>					
<b>Information:</b>					

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2	Fee Worksheet (PTO-875)	2009_12_03_FEETRANS_02175 6_015800US.pdf	123348 6fca5da0f24916f54c3bc09e643295b53d47 21c	RECEIVED
<b>Warnings:</b>		FEB 17 2010		
<b>Information:</b>		OFFICE OF PETITIONS		
		Total File Size (in bytes):	209441	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b>New Applications Under 35 U.S.C. 111</b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b>National Stage of an International Application under 35 U.S.C. 371</b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b>New International Application Filed with the USPTO as a Receiving Office</b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>				

**Acknowledgement Receipt**

The USPTO has received your submission at 14:48:06 Eastern Time on 03-DEC-2009.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

**eFiled Application Information**

EFS ID	6566219	
Application Number	09615383	RECEIVED
Confirmation Number	3220	FEB 17 2010
Title	DELTA CACHING	
First Named Inventor	Marc S. Casalaina	OFFICE OF PETITIONS
Customer Number or Correspondence Address	51206	
Filed By	William John Daley/Joni Peterson	
Attorney Docket Number	021756-015800US	
Filing Date	13-JUL-2000	
Receipt Date	03-DEC-2009	
Application Type	Utility under 35 USC 111 (a)	

**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
2009_12_03_DEFICIENCYPAYMENT_021756_015800US.pdf	2	Post Allowance Communication - Incoming	86093 bytes	◆ PASS
2009_12_03_FEETRANS_021756_015800US.pdf	1	Fee Worksheet (PTO-875)	123348 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an International application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in

due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
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